

There is no constitutional or statutory right to appointed counsel in civil cases. Nelson v. Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984). In determining whether to appoint counsel, the Court considers several factors, including (1) whether the plaintiff has presented non-frivolous allegations supporting his or her prayer for relief; (2) whether the plaintiff will substantially benefit from the appointment of counsel; (3) whether there is a need to further investigate and present the facts related to the plaintiff's allegations; and (4) whether the factual and legal issues presented by the action are complex. See Johnson v. Williams, 788 F.2d 1319,

1322-23 (8th Cir. 1986); Nelson, 728 F.2d at 1005. After considering these factors, the Court finds that the facts and legal issues involved are not so complicated that the appointment of counsel is warranted at this time. As a result, the motion will be denied.

2. Motion for reconsideration

Plaintiff's motion for reconsideration is frivolous. It does not specify which order Plaintiff seeks to vacate, nor does it identify any legal errors supposedly made by the Court. As a result, the motion will be denied.

3. Motion for leave to file an amended complaint

Plaintiff's proposed amended complaint is substantially similar to the proposed amended complaint he submitted on October 14, 2010, which the Court denied leave to file because the proposed amendments were frivolous. The Court denies the instant motion for the same reasons it denied the previous motion to amend. The proposed amendments are frivolous, and allowing the amendment would be futile.

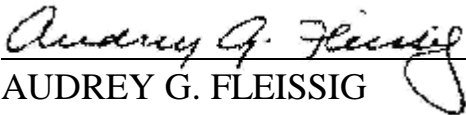
Accordingly,

IT IS HEREBY ORDERED that Plaintiff's motion for appointment of counsel [Doc. #78] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for reconsideration [Doc. #79] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file an amended complaint [Doc. #80] is **DENIED**.

Dated this 3rd day of March, 2011.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE